

Remarks

In response to the Restriction Requirement mailed on March 16, 2009, Applicants elect Group I, claims 68-81, 105-114, 121, 122, and 129-131 drawn to the special technical feature of a substantially pure SARS virus nucleic acid molecule; a vector comprising the nucleic acid; a host cell comprising the nucleic acid; a kit comprising the nucleic acid; a nucleic acid comprising a SARS antisense sequence; a microarray comprising a plurality of the SARS virus nucleic acids; and a vaccine comprising the SARS nucleic acid. This Group election is made without traverse.

Applicants respectfully traverse the sequence election requirement, and sincerely request that the Examiner reconsider the restriction in view of the following.

Applicants respectfully submit that as indicated in the paragraph bridging pages 31 and 32 of the specification, SEQ ID NOs: 1, 2 and 15 all represent the entire genome of a SARS virus, with slight, and well defined variations. Further, the remaining sequences are all segments of the SARS genome that are encompassed within the SEQ ID NO: 1, 2 and 15. Accordingly, Applicants respectfully submit that searching these sequences by using an automated sequence alignment software essentially only to search matches for SEQ ID NO: 1, 2 and 15, should not represent a substantial burden on the Examiner's search.

However, to fully comply with the requirements of responsiveness in a response to a Restriction Requirement, Applicants elect, with traverse, SEQ ID NO: 15 encoding one embodiment of the entire SARS virus genome.

Accordingly, Applicants have cancelled claims 82-104, 115-120, 123-128, and 132-133 without prejudice as directed to a non-elected Group.

Applicants have also amended claim 79 to correct a clerical error in the reference to the claim dependency. Accordingly, no new matter has been added by the amendment and its entry is respectfully requested.

Applicants reserve the right to pursue any cancelled subject matter in a continuation application.

In view of the foregoing, Applicants respectfully submit that all claims are in condition for allowance. Early and favorable action is requested.

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In the event that any additional fees are required, the Commissioner is authorized to charge Nixon Peabody LLP Deposit Account No. 50-0850.

Date: September 11, 2009

Respectfully submitted,

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